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ELECTRONIC FRONTIER FOUNDATION and
FRED VON LOHMANN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re Subpoenas to Electronic Frontier
Foundation and Fred von Lohmann

Case No. 3:10-mc-80276-JSW
[Related to *Arista Records v. Lime Wire LLC*,
No. 06-5936 (KMW) (S.D.N.Y.)]
**DECLARATION OF FRED VON
LOHMANN IN SUPPORT OF OPENING
SUPPLEMENTAL BRIEF ON EXPEDITED
MOTION TO QUASH SUBPOENAS**
[Pursuant to agreement of counsel and the
Court's November 19, 2010 Order (Dkt. #21)]
No hearing date assigned

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1 I, Fred von Lohmann, declare pursuant to 28 U.S.C. § 1746 as follows:

2 1. I am a former staff attorney for the Electronic Frontier Foundation (“EFF”), where I
3 served as Senior Intellectual Property Attorney and Senior Staff Attorney. While employed by EFF,
4 I was EFF’s primary contact with Lime Wire.

5 2. I conducted a search of my email for the keyword “limewire.” That search generated
6 approximately 1500 hits.

7 3. I have approximately 24,000 emails from the Pho listserv, which are kept separately
8 from my other email.

9 4. While I have not conducted a comprehensive review, I believe I have fewer than 50
10 documents that constitute communications with Lime Wire, most of which are privileged.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 Executed: December 9, 2010

13 /s/ Fred von Lohmann
14 Fred von Lohmann

15 **CONCURRENCE IN FILING**

16 Fred von Lohmann concurs in the filing of this pleading.

17 Dated: December 9, 2010

By: /s/ - Kathleen Lu
18 Kathleen Lu